

LSK&D #: 564-4005 / 674618

UNITED STATES DISTRICT COURT □ EASTERN DISTRICT OF NEW YORK

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MITCHELL BENESOWITZ,

Plaintiff,

Case No. 04-CV-0805
(TCP)(MLO)

-against-

METROPOLITAN LIFE INSURANCE
COMPANY, PLAN ADMINISTRATOR of
HONEYWELL LONG TERM DISABILITY
INCOME PLAN and HONEYWELL LONG
TERM DISABILITY INCOME PLAN,

AFFIDAVIT OF MICHAEL
F. O'KEEFE

Defendants.
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STATE OF NEW JERSEY)

ss.:

COUNTY OF MORRIS)

I, Michael F. O'Keefe being duly sworn, depose and state as follows:

1. I am employed by Honeywell International Inc. ("Honeywell") as Manager, Group Insurance Finance. I have held this position since 1997. I make this Affidavit in support of defendants' Motion for Summary Judgment in the above-captioned lawsuit.

2. As part of my job responsibilities, I am familiar with the administration of the Honeywell Long Term Disability Income Plan (the "Plan").

3. Honeywell established and maintains the Plan to provide eligible employees with long-term disability ("LTD") benefits.

4. Prior to June 1, 2002, CIGNA Corporation ("CIGNA") was the insurer of and claims administrator for the Plan. Prior to June 1, 2002,

Honeywell, as Plan Administrator for the Plan, delegated discretionary authority for administering claims to CIGNA.

5. Attached hereto as Exhibit "A" is a true copy of the Honeywell LTD Plan Summary Plan Description ("SPD") dated November 30, 2000.

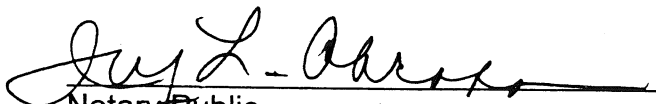
6. Beginning on June 1, 2002, Metropolitan Life Insurance Company ("MetLife") became the insurer of and claims administrator for the Plan. As successor claims administrator to CIGNA, MetLife possesses the same discretionary authority to interpret and construe Plan terms and determine eligibility for Plan benefits.

7. Attached hereto as Exhibit "B" is a true copy of the updated SPD (dated January 1, 2005) describing MetLife's role as claims fiduciary.

8. Honeywell also established and maintains the Honeywell Short-Term Disability ("STD") Plan. The STD Plan does not include a pre-existing condition provision.


MICHAEL F. O'KEEFE

Sworn to and subscribed before
me this 4~~th~~ day of April __, 2005


Notary Public

IVY L. ABRAHAM
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 1, 2006